

Berry	Goode	Petri
Bilbray	Goodlatte	Pickering
Bilirakis	Goodling	Pickett
Bliley	Goss	Pitts
Blumenauer	Granger	Pombo
Blunt	Gutknecht	Porter
Boehner	Hall (TX)	Portman
Bonilla	Hansen	Poshard
Bono	Hastert	Pryce (OH)
Brady	Hastings (WA)	Redmond
Bryant	Hayworth	Regula
Bunning	Hefley	Riggs
Burr	Herger	Riley
Burton	Hilleary	Rogan
Buyer	Hobson	Rogers
Callahan	Hoekstra	Rohrabacher
Calvert	Hostettler	Roukema
Camp	Hulshof	Royce
Campbell	Hunter	Ryun
Canady	Hutchinson	Salmon
Cannon	Hyde	Sanford
Castle	Inglis	Scarborough
Chabot	Istook	Schaffer, Bob
Chambliss	Jenkins	Sensenbrenner
Chenoweth	Johnson, Sam	Sessions
Clement	Jones	Shadegg
Coble	Kasich	Shays
Collins	Kelly	Shimkus
Combest	Kim	Shuster
Condit	King (NY)	Sisisky
Cook	Kingston	Skeen
Cooksey	Klug	Smith (MI)
Costello	Knollenberg	Smith (OR)
Cox	Kolbe	Smith (TX)
Crane	LaHood	Smith, Linda
Crapo	Latham	Snowbarger
Cubin	Lazio	Snyder
Deal	Lewis (CA)	Solomon
DeLay	Lewis (KY)	Souder
Dickey	Linder	Spence
Doolittle	Lipinski	Stearns
Dreier	Livingston	Stenholm
Duncan	LoBiondo	Stump
Dunn	Lucas	Sununu
Ehlers	Manzullo	Talent
Ehrlich	McCollum	Taylor (NC)
Emerson	McDade	Thornberry
English	McKeon	Thune
Ensign	Metcalf	Tiahrt
Everett	Mica	Tierney
Ewing	Miller (FL)	Upton
Fawell	Moran (KS)	Walsh
Foley	Nethercutt	Watkins
Forbes	Ney	Watts (OK)
Fossella	Northup	Weldon (FL)
Fowler	Norwood	Weldon (PA)
Frank (MA)	Packard	Weller
Franks (NJ)	Pappas	White
Frelinghuysen	Parker	Whitfield
Gallegly	Paul	Wicker
Gekas	Paxon	Wolf
Gibbons	Pease	Young (AK)
Gilchrest	Peterson (PA)	

NOT VOTING—13

Bateman	Hastings (FL)	Shaw
Carson	McNulty	Skaggs
Christensen	Myrick	Spratt
Doyle	Neumann	
Gonzalez	Radanovich	

So the amendment was agreed to.
After some further time,

40.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RIGGS:

Add at the end the following new title (and conform the table of contents accordingly):

TITLE XI—DISCRIMINATION AND PREFERENTIAL TREATMENT

SEC. 1001. PROHIBITION AGAINST DISCRIMINATION AND PREFERENTIAL TREATMENT.

(a) PROHIBITION.—No public institution of higher education that participates in any program authorized under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) shall, in connection with admission to such institution, discriminate against, or grant preferential treatment to, any person or group based in whole or in part on the race, sex, color, ethnicity, or national origin of such person or group.

(b) EXCEPTION.—This section does not prohibit preferential treatment in admissions granted on the basis of affiliation with an Indian tribe by any tribally controlled college or university that has a policy of granting preferential treatment on the basis of such affiliation.

(c) AFFIRMATIVE ACTION ENCOURAGED.—It is the policy of the United States—

(1) to expand the applicant pool for college admissions;

(2) to encourage college applications by women and minority students;

(3) to recruit qualified women and minorities into the applicant pool for college admissions; and

(4) to encourage colleges—

(A) to solicit applications from women and minority students, and

(B) to include qualified women and minority students into an applicant pool for admissions.

so long as such expansion, encouragement, recruitment, request, or inclusion does not involve granting a preference, based in whole or in part on race, color, national origin, or sex, in selecting any person for admission.

(d) DEFINITION.—As used in this section, the term “public institution of higher education” means any college, university, or postsecondary technical or vocational school operated in whole or in part by any governmental agency, instrumentality, or entity.

It was decided in the { Yeas 171
negative } Nays 249

40.23

[Roll No. 133]

AYES—171

Aderholt	Franks (NJ)	Mica
Archer	Frelinghuysen	Miller (FL)
Armey	Gallegly	Nethercutt
Bachus	Ganske	Northup
Baessler	Gekas	Norwood
Baker	Gillmor	Oxley
Ballenger	Gingrich	Packard
Barr	Goodlatte	Pappas
Bartlett	Goodling	Parker
Barton	Goss	Paul
Bass	Graham	Paxon
Bereuter	Granger	Pease
Bilbray	Greenwood	Peterson (PA)
Bilirakis	Gutknecht	Petri
Bliley	Hall (TX)	Pickering
Blunt	Hansen	Pitts
Boehner	Hastert	Pombo
Bono	Hastings (WA)	Porter
Brady	Hayworth	Portman
Bryant	Hefley	Ramstad
Bunning	Herger	Riggs
Burton	Hill	Riley
Callahan	Hilleary	Rogan
Calvert	Hoekstra	Rogers
Camp	Horn	Rohrabacher
Campbell	Hostettler	Roukema
Canady	Hulshof	Royce
Cannon	Hunter	Ryun
Chabot	Hutchinson	Salmon
Chambliss	Hyde	Scarborough
Chenoweth	Inglis	Schaffer, Bob
Coble	Istook	Sensenbrenner
Coburn	Jenkins	Sessions
Collins	Johnson, Sam	Shadegg
Combest	Jones	Shaw
Cook	Kasich	Shimkus
Cooksey	Kim	Smith (NJ)
Cox	Kingston	Smith (OR)
Crane	Knollenberg	Smith (TX)
Crapo	Kolbe	Smith, Linda
Cubin	Latham	Solomon
Cunningham	Lewis (KY)	Spence
Deal	Linder	Stearns
DeLay	Lipinski	Stump
Doolittle	Livingston	Sununu
Dreier	LoBiondo	Talent
Duncan	Lucas	Tauzin
Dunn	Manzullo	Taylor (MS)
Ehrlich	Matsui	Taylor (NC)
Emerson	McCollum	Thomas
Everett	McCrery	Thornberry
Ewing	McHugh	Thune
Fawell	McInnis	Tiahrt
Foley	McIntosh	
Fossella	McKeon	
Fowler	Metcalf	

Wamp
Weldon (FL)

Weller
Whitfield

Wicker
Young (FL)

NOES—249

Abercrombie	Hamilton	Olver
Ackerman	Harman	Ortiz
Allen	Hefner	Owens
Andrews	Hilliard	Pallone
Baldacci	Hinchey	Pascarell
Barcia	Hinojosa	Pastor
Barrett (NE)	Hobson	Payne
Barrett (WI)	Holden	Pelosi
Becerra	Hooley	Peterson (MN)
Bentsen	Houghton	Pickett
Berman	Hoyer	Pomeroy
Berry	Jackson (IL)	Poshard
Bishop	Jackson-Lee	Price (NC)
Blagojevich	(TX)	Pryce (OH)
Blumenauer	Jefferson	Quinn
Boehler	John	Rahall
Bonilla	Johnson (CT)	Rangel
Bonior	Johnson (WI)	Redmond
Borski	Johnson, E. B.	Regula
Boswell	Kanjorski	Reyes
Boucher	Kaptur	Rivers
Boyd	Kelly	Rodriguez
Brown (CA)	Kennedy (MA)	Roemer
Brown (FL)	Kennedy (RI)	Ros-Lehtinen
Brown (OH)	Kennelly	Rothman
Burr	Kildee	Roybal-Allard
Buyer	Kilpatrick	Rush
Capps	Kind (WI)	Sabo
Cardin	King (NY)	Sanchez
Castle	Klecza	Sanders
Clay	Klink	Sandlin
Clayton	Klug	Sanford
Clement	Kucinich	Sawyer
Clyburn	LaFalce	Saxton
Condit	LaHood	Schumer
Conyers	Lampson	Scott
Costello	Lantos	Serrano
Coyne	Largent	Shays
Cramer	LaTourette	Sherman
Cummings	Lazio	Sisisky
Danner	Leach	Skeen
Davis (FL)	Lee	Skelton
Davis (IL)	Levin	Slaughter
Davis (VA)	Lewis (CA)	Smith (MI)
DeFazio	Lewis (GA)	Smith, Adam
DeGette	Lofgren	Snowbarger
Delahunt	Lowe	Snyder
DeLauro	Luther	Souder
Deutsch	Maloney (CT)	Spratt
Diaz-Balart	Maloney (NY)	Stabenow
Dickey	Manton	Stark
Dicks	Markey	Stenholm
Dingell	Martinez	Stokes
Dixon	Mascara	Strickland
Doggett	McCarthy (MO)	Stupak
Dooley	McCarthy (NY)	Tanner
Edwards	McDade	Tauscher
Ehlers	McDermott	Thompson
Engel	McGovern	Thurman
English	McHale	Tierney
Ensign	McIntyre	Torres
Eshoo	McKinney	Towns
Etheridge	Meehan	Trafficant
Evans	Meek (FL)	Turner
Farr	Meeks (NY)	Upton
Fattah	Menendez	Velazquez
Fazio	Millender	Vento
Filner	McDonald	Visclosky
Forbes	Miller (CA)	Walsh
Ford	Minge	Waters
Fox	Mink	Watkins
Frank (MA)	Moakley	Watt (NC)
Frost	Mollohan	Watts (OK)
Furse	Moran (KS)	Waxman
Gejdenson	Moran (VA)	Weldon (PA)
Gephardt	Morella	Wexler
Gibbons	Murtha	Weygand
Gilchrest	Myrick	White
Gilman	Nadler	Wise
Goode	Neal	Wolf
Gordon	Ney	Woolsey
Green	Nussle	Wynn
Gutierrez	Oberstar	Young (AK)
Hall (OH)	Obey	

NOT VOTING—13

Bateman	Hastings (FL)	Shuster
Carson	McNulty	Skaggs
Christensen	Neumann	Yates
Doyle	Radanovich	
Gonzalez	Schaefer, Dan	

So the amendment was not agreed to.

After some further time,

40.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CAMPBELL:

At the end of the bill add the following new title:

TITLE XI—NONDISCRIMINATION PROVISION

SEC. 1101. NONDISCRIMINATION.

(a) PROHIBITION.—No individual shall be excluded from any program or activity authorized by the Higher Education Act of 1965, or any provision of this Act, on the basis of race or religion.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to preclude or discourage any of the following factors from being taken into account in admitting students to participate in, or providing any benefit under, any program or activity described in subsection (a): the applicants income; parental education and income; need to master a second language; and instances of discrimination actually experienced by that student.

It was decided in the { Yeas 189
negative Nays 227

40.25 [Roll No. 134]
AYES—189

Aderholt	Gillmor	Norwood
Archer	Goodlatte	Oxley
Armey	Goodling	Packard
Bachus	Goss	Pappas
Baessler	Graham	Parker
Baker	Granger	Paul
Ballenger	Greenwood	Paxon
Barr	Gutknecht	Pease
Bartlett	Hall (TX)	Peterson (PA)
Bass	Hansen	Petri
Bereuter	Hastert	Pickering
Bilbray	Hastings (WA)	Pitts
Bilirakis	Hayworth	Pombo
Bliley	Hefley	Porter
Blunt	Herger	Portman
Boehner	Hill	Ramstad
Bono	Hilleary	Regula
Brady	Hobson	Riggs
Bryant	Hoekstra	Riley
Bunning	Horn	Rogan
Burton	Hostettler	Rogers
Buyer	Hulshof	Rohrabacher
Callahan	Hunter	Ros-Lehtinen
Calvert	Hutchinson	Roukema
Camp	Hyde	Royce
Campbell	Inglis	Ryun
Canady	Istook	Salmon
Cannon	Jenkins	Sanford
Chabot	Johnson, Sam	Scarborough
Chambliss	Jones	Kasich
Chenoweth	Kasich	Kim
Coble	King (NY)	Sensenbrenner
Coburn	Kingston	Sessions
Collins	Klug	Shadegg
Combest	Knollenberg	Shaw
Cook	Kolbe	Shimkus
Cooksey	Latham	Smith (NJ)
Cox	Lazio	Smith (OR)
Crane	Lewis (CA)	Smith (TX)
Crapo	Lewis (KY)	Smith, Linda
Cubin	Linder	Snowbarger
Cunningham	Lipinski	Solomon
Davis (VA)	Deal	Livingston
DeLay	LoBiondo	Stearns
Doolittle	Lucas	Stump
Dreier	Manzullo	Sununu
Duncan	McCollum	Talent
Dunn	McCrery	Tauzin
Ehrlich	McDade	Taylor (MS)
Emerson	McHugh	Taylor (NC)
Everett	McInnis	Thomas
Fawell	McIntosh	Thornberry
Foley	McKeon	Thune
Fossella	Metcalfe	Tiahrt
Fowler	Mica	Upton
Franks (NJ)	Miller (FL)	Wamp
Frelinghuysen	Moran (KS)	Watkins
Gallegly	Moran (VA)	Weldon (FL)
Ganske	Myrick	Weldon (PA)
Gekas	Nethercutt	Weller
Gilchrest	Northup	

White
WhitfieldWicker
WolfYoung (AK)
Young (FL)

NOES—227

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burr
Capps
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fazio
Filner
Forbes
Ford
Fox
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman

Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Morella
Murtha
Nadler
Neal
Ney
Nussle

Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Redmond
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith, Adam
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Watts (OK)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—16

Bateman
Carson
Christensen
Dickey
Doyle
Gonzalez

Hastings (FL)
Hilliard
Largent
McNulty
Neumann
Radanovich

So the amendment was not agreed to.
After some further time,

The SPEAKER pro tempore, Mr. GILCHREST, assumed the Chair.

When Mr. GUTKNECHT, Chairman, pursuant to House Resolution 411, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Higher Education Amendments of 1998".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. General effective date.

TITLE I—GENERAL PROVISIONS

PART A—EXTENSION AND REVISION OF GENERAL PROVISIONS

- Sec. 101. Redesignation and transfer of provisions.
- Sec. 102. Definitions.
- Sec. 103. Regulatory reform.
- PART B—PERFORMANCE-BASED ORGANIZATION FOR THE DELIVERY OF FEDERAL STUDENT FINANCIAL ASSISTANCE.
- Sec. 111. Performance-based organization for the delivery of federal student financial assistance.

TITLE II—POSTSECONDARY EDUCATION IMPROVEMENT PROGRAMS

- Sec. 201. Urban community service.
- Sec. 202. Fund for the Improvement of Postsecondary Education.
- Sec. 203. Grants to States for workplace and community transition training for incarcerated youth offenders.
- Sec. 204. Advanced placement fee payment program.
- Sec. 205. Teacher quality enhancement grants.
- Sec. 206. Campus safety.
- Sec. 207. Accountability for institutions of higher education that prepare teachers.
- Sec. 208. Additional repeal.

TITLE III—INSTITUTIONAL AID

- Sec. 301. Strengthening institutions.
- Sec. 302. Historically black colleges and universities.
- Sec. 303. Minority science and engineering improvement program.
- Sec. 304. General provisions.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS

- Sec. 401. Pell grants.
- Sec. 402. Federal TRIO programs.
- Sec. 403. National early intervention and partnership program.
- Sec. 404. Repeals.
- Sec. 405. Establishment of new programs.
- Sec. 406. Federal supplemental educational opportunity grants.
- Sec. 407. Grants to States for State student incentives.
- Sec. 408. Special programs for students whose families are engaged in migrant and seasonal farm-work.
- Sec. 409. Byrd scholarships.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Sec. 411. Limitation repealed.
- Sec. 412. Advances to reserve funds.
- Sec. 412A. Guaranty agency reforms.
- Sec. 413. Guaranty agency reforms.
- Sec. 414. Scope and duration of program.
- Sec. 415. Limitations on individual federally insured loans and Federal loan insurance.